

REMARKS

After entry of this Amendment, the pending claims are: claims 1-8, 10-16, 21, 22, 24-30, 32, 33 and 35-40. The Final Office Action dated December 3, 2008 has been carefully considered. Claims 9, 23, 31 and 34 have been canceled. Claims 17-20 were previously canceled. Claims 1, 10, 11, 15, 21, 26, 28, 32 and 35-39 have been amended. Claims 3-6 and 8 were previously withdrawn as being drawn to a non-elected species. No new matter has been added. Reconsideration and allowance of the present application in view of the above Amendments and the following remarks is respectfully requested.

In the Final Office Action dated December 3, 2008, the Examiner:

- rejected claims 1, 2, 7, 14-16, 24, 25, 27-33 and 40 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application No. US 2002/0022846 to Auge II ("Auge II") in view of U.S. Patent No. 4,430,760 to Smestad ("Smestad"); and
- objected to claims 9-13, 21-23, 26 and 34-39 as being dependent upon a rejected base claim, but otherwise indicated that claims 9-13, 21-23, 26 and 34-39 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

INDEPENDENT CLAIM 1

Independent claim 1 has been rejected as being unpatentable over Auge II in view of Smestad. The Examiner is thanked for indicating that the subject matter of dependent claim 9 was allowable. Independent claim 1 has been amended to include all of the limitations of dependent claim 9. Therefore,

for at least this reason, it is respectfully submitted independent claim 1 is allowable as amended. Withdrawal of this rejection and allowance of independent claim 1 is respectfully requested.

Furthermore, as claims 2, 7, 10, 14 and 25-27 all depend from independent claim 1, it is submitted that these claims are equally allowable. Withdrawal of these rejections and allowance of claims 2, 7, 10, 14 and 25-27 is also respectfully requested.

Moreover, claims 3-6 and 8 were withdrawn as being directed to a non-elected species. It is respectfully submitted that independent claim 1 is generic and, as such, claims 3-6 and 8 should be allowed as well.

CLAIM 11

Dependent claim 11 was objected to as being dependent upon a rejected base claim, but it was otherwise indicated that claim 11 would be allowable if rewritten into independent claim format including all of the limitations of the base claim and any intervening claims.

It is respectfully submitted that claim 11 has been rewritten into independent claim format. As such, it is respectfully submitted claim 11 is allowable as amended. Withdrawal of this objection and allowance of claim 11 is respectfully requested.

Furthermore, as claims 12 and 13 all depend from claim 11, it is submitted that these claims are equally allowable. Withdrawal of these objections and allowance of claims 12 and 13 is also respectfully requested.

INDEPENDENT CLAIM 15

Independent claim 15 has been rejected as being unpatentable over Auge II in view of Smestad. The Examiner is thanked for indicating that the subject matter of dependent claim 23 was allowable. Independent claim 15 has been amended to include all of the limitations of dependent claim 23. Therefore, for at least this reason, it is respectfully submitted independent claim 15 is allowable as amended. Withdrawal of this rejection and allowance of independent claim 15 is respectfully requested.

Furthermore, as claims 16 and 24 all depend from independent claim 15, it is submitted that these claims are equally allowable. Withdrawal of these rejections and allowance of claims 16 and 24 is also respectfully requested.

CLAIM 21

Dependent claim 21 was objected to as being dependent upon a rejected base claim, but it was otherwise indicated that claim 21 would be allowable if rewritten into independent claim format including all of the limitations of the base claim and any intervening claims.

It is respectfully submitted that claim 21 has been rewritten into independent claim format. As such, it is respectfully submitted claim 21 is allowable as amended. Withdrawal of this objection and allowance of claim 21 is respectfully requested.

Furthermore, as claim 22 depends from claim 21, it is submitted that claim 22 is equally allowable. Withdrawal of this objection and allowance of claim 21 is also respectfully requested.

INDEPENDENT CLAIM 28

Independent claim 28 has been rejected as being unpatentable over Auge II in view of Smestad. The Examiner is thanked for indicating that the subject matter of dependent claim 34 was allowable. Independent claim 28 has been amended to include all of the limitations of dependent claim 34. Therefore, for at least this reason, it is respectfully submitted independent claim 28 is allowable as amended. Withdrawal of this rejection and allowance of independent claim 28 is respectfully requested.

Furthermore, as claims 29, 30, 32, 33 and 35-40 all depend from independent claim 28, it is submitted that these claims are equally allowable. Withdrawal of these rejections and allowance of claims 29, 30, 32, 33 and 35-40 is also respectfully requested.

CONCLUSION

Based upon the above-listed amendments and remarks, Applicants respectfully submit that the present application, including claims 1-8, 10-16, 21, 22, 24-30, 32, 33 and 35-40, is in condition for allowance and such action is respectfully requested.

A fee of \$440.00 is believed due for this submission for the addition of two (2) independent claims. The Commissioner is authorized to charge this and any other fee which may now or hereafter be due in this application to Deposit Account No. 19-4709.

In the event that there are any questions, or should additional information be required, please contact Applicant's attorney at the number listed below.

Date: December 9, 2008

Respectfully submitted,

/Giuseppe Molaro/
Giuseppe Molaro
Registration No. 52,039

For: Brian M. Rothery
Registration No. 35,340

Attorney for Applicants
Stroock & Stroock & Lavan LLP
180 Maiden Lane
New York, New York 10038
(212) 806-6114